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January 17, 2025

Registrar  
Ontario Energy Board  
2300 Yonge Street, 27th floor  
Toronto, ON M4P 1E4

**Re: Proposed Amendments to the Distribution System Code to Set Minimum Requirements for Customer Communication Regarding Interruptions and Restoration of Service Following Severe Weather Events (EB-2021-0307) – Comments of Toronto Hydro-Electric System Limited**

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Toronto Hydro-Electric System Limited ("Toronto Hydro") is the local electricity distribution company for the City of Toronto. It serves over 790,000 customers and delivers about 18% of the electricity used in Ontario.

On December 16, 2024, the OEB released proposed amendments to the Distribution System Code ("DSC"), establishing minimum requirements for electricity distributors in communicating with customers during widespread power interruptions caused by severe weather events. The proposed requirements are responsive to the Minister of Energy's November 2023 Letter of Direction to the OEB, and reflective of the OEB's recommendations contained in its Improving Distribution Sector Resilience, Responsiveness and Cost Efficiency Report and the subsequent Distribution Sector Resilience and Responsiveness Report. The proposed requirements were put before the sector through stakeholder discussions, including at the OEB's Reliability and Power Quality Working Group.

Toronto Hydro observes that the majority of requirements introduced through the proposed amendments broadly reflect existing best practices among utilities, demonstrating the advanced state of outage response and management among a large portion of utilities in the province. That is, they reflect best practices and codify them. Further, Toronto Hydro commends the OEB for the operational flexibility built into many of the proposed amendments, which establish performance expectations while recognizing the complexities of – and avoiding disruptions during – distributors' management of emergency events. Public and worker safety are priority number one during these events, and incremental operational administration that distracts attention would unacceptably elevate risks to human life. However, not all proposed requirements are acceptable. Several proposed amendments

are duplicative of existing or other proposed requirements and stray from these principles. Toronto Hydro strongly recommends that these be reconsidered or reworded.

Toronto Hydro submits that the proposed changes related to critical customers are duplicative of existing Independent Electricity System Operator (“IESO”) requirements and should not be introduced. Specifically, proposed section 4.9.5 requires a distributor to “maintain a list of critical customers” and “establish communication protocols specifically for critical customers...” with “critical customers” defined as including “emergency services (police fire and ambulance services) stations, hospitals, water and wastewater treatment plants, designated emergency shelters, and municipal and provincial emergency operations centres as well as any other customers that are a priority for communications related to a severe weather event.” However, the IESO already has existing definitions for both “critical loads”, and more importantly “priority customer loads”, with the latter term defining a nearly identical group of customers as the OEB’s proposed definition and for largely the same intended purpose, namely to identify loads of highest priority for restoration following outages (to “mitigate the impact on public health and safety, the environment, or the economy”).<sup>1</sup> Furthermore, the IESO also already requires distributors to maintain such a list of “priority customer loads”, which proposed DSC section 4.95 (a) appears to directly duplicate. Given this broad overlap, Toronto Hydro submits that the entirety of proposed new section 4.95 provides little additional benefit, while introducing unnecessary confusion to emergency management and planning through competing and overlapping definitions. To the extent the OEB sees a need to reinforce components of this IESO requirement within the DSC, Toronto Hydro submits that it do so through a direct addition to existing section 4.5.7, with direct reference to the existing IESO definitions (e.g. “a distributor shall.... establish communication protocols specifically for priority customer loads, as defined by the IESO”). In any event, Toronto Hydro suggests that any new provision relating to any grouping of “critical” or similar subsets of customers within the DSC should reflect, reference, or at the very least avoid overlap with the existing IESO definitions already in use.

Toronto Hydro also has concerns with duplication and redundancy in proposed requirements relating to estimated time of restoration updates. In particular, proposed section 4.9.6 (a) requires utilities to “make updates to the estimated time of restoration available to affected customers at intervals not exceeding six hours, starting from 48 hours after the event’s onset and continuing until service is restored to all customers”. However, this requirement is based on fairly arbitrary parameters and

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<sup>1</sup> IESO Market Manual 7 - System Operations Part 7.10: Ontario Electricity Emergency Plan (Section 4.4.1)  
<https://www.ieso.ca/-/media/files/ieso/document-library/market-rules-and-manuals-library/market-rules/mr-chapter7.pdf>

misaligned with and largely repetitive of proposed section 4.9.3, which already requires that “A distributor shall update the estimated time of restoration whenever there is a change to the previously provided estimate”. Utilities in the normal course of emergency operations constantly revise estimated time of restoration information whenever new more accurate information becomes available, and as a matter of best practice and customer service continuously attempt to provide as accurate and timely an estimate as possible to its customers during outages. These existing efforts will now be formally codified under new section 4.9.3. It is unclear to Toronto Hydro what additional benefit would be gained from the incremental proposed requirement under section 4.9.6 (a), or what is expected of utilities in the event that no updates or changes are available to be made to the previously estimated time of restoration during the six hour update cycle. To the extent the OEB sees benefit in retaining this section, Toronto Hydro recommends rewording the phrase “makes updates to the estimated time of restoration...” to “updates or reconfirms the existing estimated time of restoration...”, to make clear that an “update” may involve simply reconfirming the ongoing accuracy of existing estimates and result in no changes being made to the posted estimated restoration time.

When it comes to rules relating to high-risk utility operations, Toronto Hydro urges the OEB to weigh heavily the advice of utilities. Toronto Hydro appreciates that it may not be readily apparent to the OEB or other stakeholders how regulatory provisions could affect front-line workers, customers experiencing outages, or other emergency responders and members of the public in proximity to utility restoration activities. The fact is that during emergency events, all activated members of a utility’s operation work on an integrated basis – from front-line crews to control centre operators to those performing “office” functions. Utilities establish layers of protocols to ensure that attention is focused on the appropriate tasks at hand on a moment-by-moment basis. These protocols are developed based on decades of experience, best practices discussions among professionals, and the absolute prioritization of safety. Confusion over definitions and public reporting requirements may seem to the OEB or other stakeholders opportunities to regulate away from the front line, but the reality is that confusing/conflicting definitions divert the attention of control centre operators, and reporting requirements necessarily come from crews in the field. Toronto Hydro’s recommendations in this submission acknowledge the objectives of the Minister and the OEB and are responsive to them in ways that will eliminate the unintended consequences of the current proposals that would jeopardize safety.

Toronto Hydro appreciates the opportunity to provide comment on these proposed amendments, and looks forward to further engagement with the OEB and stakeholders on reliability and resiliency related issues under this consultation.

Respectfully,

A handwritten signature in blue ink, reading "Andrew J. Sasso". The signature is fluid and cursive, with the first name "Andrew" and last name "Sasso" clearly distinguishable.

**Andrew J. Sasso**  
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AJS/jl